

M2049-341/CIP

Serial Number 10/690,700

Response to Official Action Dated 11 March 2005

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action dated 11 March 2005. Responsive to the rejections made in the Official Action, Claims 1-8 have been amended and are no clearer in their respective recitations. Additionally, Claims 14-19 have been appended for prosecution. Claims 1-19 will be pending in the subject Patent Application upon entry of this Amendment.

In the Official Action, the Examiner provisionally rejected the Claims, as originally filed, under 35 U.S.C. § 102(e) as being anticipated by copending Application No. 10/623,630. However, in order for 35 U.S.C. § 102(e) to apply, the invention of the application for patent must be "described in (1) an application for patent, published under section 122(b), *by another* filed in the United States ... or (2) a patent granted on an application for patent *by another* filed in the United States" (emphasis added). The subject Patent Application is a properly filed Continuation-in-Part (CIP) application having *identical* inventorship to its parent Application No. 10/623,630. Thus, reconsideration by the Examiner of the rejections under 35 U.S.C. § 102(e) is respectfully requested.

In the Official Action, the Examiner provisionally rejected Claims 1-3 under 35 U.S.C. § 101 as claiming the same invention as that of Claims 1-3 of copending Application No. 10/623,630. Additionally, the Examiner rejected

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Claims 8-11 under 35 U.S.C. § 101 as claiming the same invention as that of
Claims 4-7 of copending Application No. 10/623,630.

The Claims of the subject CIP Application have now been amended to
recite features not claimed in the parent Application. The amended Claims recite
beneficial features described in the subject Patent Application, which are not
disclosed by the parent Application, to be constructed. Among these beneficial
features are a choice of yarn material and the formation of structures on the
finished loops.

Claim 1 now recites the steps of "providing yarns formed from
predetermined material" and "soaking the yarns with resin" and Claim 8 now
recites "an inner layer made of yarns formed integrally without pre-stress and
seams, the inner layer having formed thereon at least one protuberance". The
unique combination of method steps recited in Claim 1 and the likewise unique
structure recited in Claim 8 are neither disclosed in the parent Application No.
10/623,630 nor are they claimed therein. Thus, it is believed that the invention of
the subject CIP application, as now claimed, neither claims the same invention of,
nor is anticipated by, the invention of the copending Application No. 10/623,630.
Furthermore, in that Independent Claims 1 and 8 are believed to be allowable over
the prior art cited by the Examiner, and the remaining pending Claims are based
on one of the two Independent Claims, it is believed that the dependent Claims of

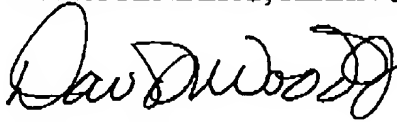
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the subject Patent Application are allowable for at least the same reasons for which the Independent Claims are allowable.

The remaining Patent cited by the Examiner has been reviewed and is believed to be remote from of the subject matter of the subject Patent Application, when patentability is considered.

It is now believed that the subject Patent Application is in condition for allowance and such action is respectfully submitted.

Respectfully submitted,
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